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PTO/38/16 (10-01)

Applicable through 10/31/2002 OMB#0551-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

# PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications filed under 37 CFR 1.63(b))

Attorney Docket No.		
First Named Inventor	S CHRISTOPHER EARLY	
Title		
Express Mail Label No.		

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

**APPLICATION ELEMENTS**

See MPEP chapters 800 &amp; 1600 concerning plant patent application contents.

- |                                                                                                                                                                                    |                                                                                                       |   |   |                                         |                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---|---|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/>                                                                                                                                             | Fee Transmittal Form (e.g., PTO/98/17)<br>(Submit an original, and a duplicate for fee processing)    | 3 | 1 | 7. <input type="checkbox"/>             | Assignment Papers (cover sheet & document(s))                                                                         |
| 2. <input checked="" type="checkbox"/>                                                                                                                                             | Applicant claims small entity status. See 37 CFR 1.27.                                                |   |   | 8. <input type="checkbox"/>             | 37 CFR 3.73(b) Statement<br>(when there is an assignee) <input type="checkbox"/> Power of Attorney                    |
| 3. <input checked="" type="checkbox"/>                                                                                                                                             | Specification <span style="float: right;">[Total Pages]</span>                                        |   |   | 9. <input type="checkbox"/>             | English Translation Document (if applicable)                                                                          |
|                                                                                                                                                                                    | (preferred arrangement set forth below)                                                               |   |   | 10. <input type="checkbox"/>            | Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations                      |
|                                                                                                                                                                                    | - Descriptive title of the invention                                                                  |   |   | 11. <input type="checkbox"/>            | Preliminary Amendment                                                                                                 |
|                                                                                                                                                                                    | - Cross References to Related Applications                                                            |   |   | 12. <input checked="" type="checkbox"/> | Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)                                               |
|                                                                                                                                                                                    | - Statement Regarding Fed sponsored R & D                                                             |   |   | 13. <input type="checkbox"/>            | Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)                                            |
|                                                                                                                                                                                    | - Latin name of genus and species                                                                     |   |   | 14. <input type="checkbox"/>            | Request Nonpublication under 35 U.S.C. 122<br>(b)(2)(B)(i). Applicant must attach form<br>PTO/98/36 or its equivalent |
|                                                                                                                                                                                    | - Variety denomination                                                                                |   |   | 15. <input type="checkbox"/>            | Other: .....                                                                                                          |
|                                                                                                                                                                                    | - Background of the Invention                                                                         |   |   |                                         | .....                                                                                                                 |
|                                                                                                                                                                                    | - Brief Summary of the Invention                                                                      |   |   |                                         | .....                                                                                                                 |
|                                                                                                                                                                                    | - Brief Description of the Drawings                                                                   |   |   |                                         | .....                                                                                                                 |
|                                                                                                                                                                                    | - Detailed Botanical Description                                                                      |   |   |                                         | .....                                                                                                                 |
|                                                                                                                                                                                    | - A single claim                                                                                      |   |   |                                         | .....                                                                                                                 |
|                                                                                                                                                                                    | - Abstract of the Disclosure                                                                          |   |   |                                         | .....                                                                                                                 |
| 4. <input checked="" type="checkbox"/>                                                                                                                                             | Color drawing(s) <span style="float: right;">[Total Sheets]</span>                                    |   |   |                                         |                                                                                                                       |
|                                                                                                                                                                                    | (2 copies required - 37 CFR 1.165(b))                                                                 |   |   |                                         |                                                                                                                       |
| 5. Oath or Declaration                                                                                                                                                             | <span style="float: right;">[Total Pages]</span>                                                      |   |   |                                         |                                                                                                                       |
| a. <input checked="" type="checkbox"/>                                                                                                                                             | Newly executed (original or copy)                                                                     |   |   |                                         |                                                                                                                       |
| b. <input type="checkbox"/>                                                                                                                                                        | Copy from a prior application (37 CFR 1.63(d))<br>(for continuation/divisional with Box 18 completed) |   |   |                                         |                                                                                                                       |
| <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting<br>inventor(s) named in the prior application,<br>see 37 CFR 1.63(d)(2) and 1.33(b). |                                                                                                       |   |   |                                         |                                                                                                                       |
| 6. <input type="checkbox"/>                                                                                                                                                        | Application Data Sheet. See 37 CFR 1.76                                                               |   |   |                                         |                                                                                                                       |

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

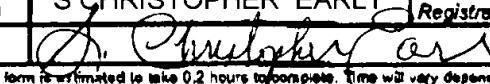
 Continuation  Divisional  Continuation-in-part (CIP) of prior application No. \_\_\_\_\_, At Unit \_\_\_\_\_.

Prior application information: Examiner \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Issue						<input type="checkbox"/> Correspondence address below
Name	S CHRISTOPHER EARLY					
Address	4341 HARRIS VALLEY RD					
City	ATLANTA	State	GA	Zip Code	30327	
Country	USA	Telephone	404 261 4069	Fax	404 261 2477	

Name (Print/Type)	S CHRISTOPHER EARLY	Registration No. (Attorney/Agent)	
Signature			Date 1/21/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 255)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	S CHRISTOPHER EARLY
Examiner Name	
Group Art Unit	
Attorney Docket No.	

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None
 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity | Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370		Utility Filing fee	
106 330	206 165		Design Filing fee	
107 510	207 255		Plant Filing fee	255
108 740	208 370		Reissue Filing fee	
114 180	214 90		Provisional Filing fee	

SUBTOTAL (1) (\$ 255)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20% =	X	=	Fee from below	Fee Paid
Independent Claims	.33% =	X	=		
Multiple Dependent					

Large Entity | Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9		Claims in excess of 20	
102 84	202 42		Independent claims in excess of 3	
104 280	204 140		Multiple dependent claim, if not paid	
108 84	208 42		" Reissue independent claims over original patent	
110 18	210 9		" Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ )

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65		Surcharge - late filing fee or oath	
127 50	227 25		Surcharge - late provisions; filing fee or cover sheet	
139 130	139 130		Non-English specification	
147 2,520	147 2,520		For filing a request for ex parte reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 56		Extension for reply within first month	
118 400	218 200		Extension for reply within second month	
117 120	217 400		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
120 1,860	222 160		Extension for reply within fifth month	
118 320	218 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 200	221 140		Request for oral hearing	
138 1,810	138 1,810		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive - unavoidable	
141 1,280	241 640		Petition to revive - unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 480	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 30	123 30		Processing fee under 37 CFR 1.17(q)	
126 180	126 180		Submission of Information Disclosure Stmt	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	
169 900	169 900		Request for expedited examination of a design application	
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type)	S CHRISTOPHER EARLY	Registration No. (Assignee)	Telephone	404 261 4069
Signature			Date	1/21/02

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